

CHAPTER 206

AUDUBON COUNTY. EXPENDITURES FROM SECONDARY ROAD
MAINTENANCE FUND

S. F. 393

AN ACT to legalize the action of the county auditor and county board of supervisors of Audubon county, Iowa, in making expenditures and issuing warrants in 1934 against the secondary road maintenance fund of said county; to make said warrants the legal, valid, and binding obligations of said county, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1935 and belonging to the secondary road maintenance fund of said county.

WHEREAS, the board of supervisors of Audubon county, Iowa, in the year 1934 allowed and authorized the payment of certain claims against the secondary road maintenance fund of said county and authorized the county auditor of said county to issue warrants against the secondary road maintenance fund of said county in payment of said claims, and

WHEREAS, said claims so allowed were bona fide claims against said county and should be paid, and

WHEREAS, the county auditor of said county pursuant to said authority issued warrants against the secondary road maintenance fund of said county in payment of said claims, and

WHEREAS, there was no money in the secondary road maintenance fund of said county adequate to meet and pay said warrants, which warrants were thereupon stamped by the county treasurer of said county "not paid for want of funds," and

WHEREAS, question has been raised as to the right and authority of the county treasurer of said county to pay said warrants out of funds received and paid into the secondary road maintenance fund of said county in the year 1935 until after all of the current obligations accruing against said fund in the year 1935 have been paid, and

WHEREAS, the demands against said fund in 1935 will be so great in amount as not to permit the payment of said warrants out of the 1935 receipts of said secondary road maintenance fund, if 1935 claims against said fund are given priority, now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the action of the county auditor and county board
2 of supervisors of Audubon county, Iowa, in making expenditures and
3 issuing warrants in 1934 against the secondary road maintenance fund
4 of said county in a sum in excess of twenty-two thousand (22,000)
5 dollars are hereby legalized and validated and said warrants are hereby
6 declared to constitute legal, valid, and binding obligations and in-
7 debtedness of said county.

1 SEC. 2. That the proceedings heretofore taken by said county board
2 of supervisors and county auditor for the issuance of said secondary
3 road maintenance fund warrants in the year 1934 are hereby validated
4 and confirmed and said secondary road maintenance fund warrants,
5 issued pursuant to and in accordance with said proceedings, are hereby

6 declared legal and to constitute valid and binding obligations of said
7 county.

1 SEC. 3. The county treasurer of Audubon county, Iowa, is hereby
2 authorized to pay said warrants issued in 1934 out of any funds coming
3 into his hands in 1935 and belonging to the secondary road maintenance
4 fund of said county.

1 SEC. 4. Nothing in this act shall affect pending litigation.

1 SEC. 5. This act being deemed of immediate importance shall be
2 in force and effect from and after its publication in the Audubon
3 County Journal, a newspaper published at Exira, Iowa, and the Ad-
4 vocate-Republican, a newspaper published at Audubon, Iowa.

Senate File 393. Approved May 4, 1935.

I hereby certify that the foregoing act was published in the Audubon County Journal
and the Audubon Advocate-Republican, May 9, 1935.

MRS. ALEX MILLER, *Secretary of State.*

CHAPTER 207

DALLAS CENTER. LEGALIZING TAX LEVY

S. F. 62

AN ACT to legalize and validate the tax levy made by the town council of the town of Dallas Center in Dallas county, Iowa, in the year 1934 and to be collected in the year 1935 for the purpose of providing funds to pay interest and create a sinking fund to retire principal on forty-one thousand (41,000) dollars waterworks bonds of said town of Dallas Center, Iowa.

WHEREAS, the town council of the town of Dallas Center in Dallas county, Iowa, heretofore pursuant to chapters three hundred twelve (312) and three hundred nineteen (319) of the code, 1931, as amended, did legally call an election, fixing the time and place thereof, and did legally submit thereat to the voters of said town to be by them voted upon, the proposition of establishing and erecting a municipal waterworks system within said town, issuing bonds for such purpose in an amount not exceeding forty-one thousand (41,000) dollars and levying a tax upon all taxable property within said town for the payment of said bonds and interest thereon, and

WHEREAS, at said election held and conducted on the sixth day of December, A. D. 1934, at and in said town of Dallas Center in Dallas county, Iowa, the said proposition of establishing and erecting such waterworks system and the issuance of such waterworks bonds was duly carried and adopted by the voters of said town, and

WHEREAS, the said town council of the town of Dallas Center, Dallas county, Iowa, has by resolution, pursuant to section eleven hundred seventy-nine-b two (1179-b2) of the code, 1931, duly authorized the issuance of forty-one thousand (41,000) dollars, three and three-fourths (3¾) per centum waterworks bonds of said town and has by such resolution authorized the levy of taxes in an amount sufficient to pay the principal and interest thereof at maturity, and a certified copy of said resolution passed and approved by said town council on December 22, 1934, has been filed with the auditor of Dallas county, Iowa, as provided by law, and